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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. **FORBE-001C**
 First Inventor or Application Identifier **Mark P. Forbes**
 Title **METHOD FOR RETRIEVING VEHICULAR COLLATERAL**
 Express Mail Label No. **EL428438923US**

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ * Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages **17**]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **2**]
4. Oath or Declaration [Total Pages **7**]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 16 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

* NOTE FOR ITEMS 1 & 15: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.17), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

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5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ 37 C.F.R. § 3.73(b) Statement of Power of Attorney (when there is an assignee) ☒
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☒ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
13. ☐ * Small Entity Statement filed in prior application, Status still proper and desired (PTO/SB/09-12)
14. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
15. ☐ Other: **For CON; DIV; CIP: Extension of Time Petition (if needed)**

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. **09, 103, 419**
 Prior application information: Examiner **B. Swarthout** Group / Art Unit: **2736**

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

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 Signature **Eric L. Tanezaki** Date **10/29/99**

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Practitioner's Docket No. FORBE-001A**PATENT**

☒ Applicant Mark P. Forbes ☐ Patentee _____
☒ Application No. Unknown ☐ Patent No. _____
☒ Filed on Herewith ☐ Issued on _____
 Title: METHOD FOR RETRIEVING VEHICULAR COLLATERAL

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(b))—INDEPENDENT INVENTOR**

As a below named inventor, I hereby state that I qualify as an independent inventor, as defined in 37 CFR 1.9(c), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office, with regard to the invention described in

- ☒ the specification filed herewith, with title as listed above.
☐ the application identified above.
☐ the patent identified above.

I have not assigned, granted, conveyed or licensed, and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person had made the invention, or to any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ No such person, concern, or organization exists.
☐ Each such person, concern or organization is listed below. *

**NOTE: Separate statements are required from each named person, concern or organization having rights to the invention as to their status as small entities. (37 CFR 1.27)*

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____

ADDRESS _____

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I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

(check the following item, if desired)

NOTE: The following verification statement need not be made in accordance with the rules published on Oct. 10, 1997, 62 Fed. Reg. 52131, effective Dec. 1, 1997.

NOTE: "The presentation to the Office (whether by signing, filing, submitting, or later advocating) of any paper by a party, whether a practitioner or non-practitioner, constitutes a certification under § 10.18(b) of this chapter. Violations of § 10.18(b)(2) of this chapter by a party, whether a practitioner or non-practitioner, may result in the imposition of sanctions under § 10.18(c) of this chapter. Any practitioner violating § 10.18(b) may also be subject to disciplinary action. See §§ 10.18(d) and 10.23(c)(15)." 37 C.F.R. § 1.4(d)(2).

☒ I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

MARK P. FORBES

Name of inventor



Signature of Inventor

Date 6-23-98

Name of inventor

Signature of Inventor

Date

Name of inventor

Signature of Inventor

Date

(Small Entity—Independent Inventor [7-1]—page 2 of 2)

Case **FORBE-001C**
Continuation Patent Appln.
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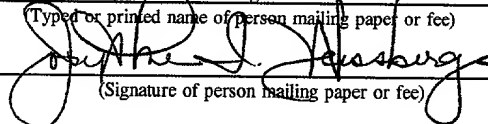
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Mark P. Forbes)	
)	Group No.: 2736
Serial No.:	Unknown)	
)	Examiner: B. Swarthout
Filed:	Herewith)	
)	
For:	METHOD OF)	
	RETRIEVING)	
	VEHICULAR COLLATERAL)	

PRELIMINARY AMENDMENT

Assistant Commissioner of Patents
Washington, D. C. 20231

Dear Sir:

Prior to the initial examination of the above-identified continuation patent application, please amend the application as follows:

IN THE CLAIMS:

Please cancel Claims 1-15 without prejudice.

Please add the following new claims as follows:

16. (New) A method of securing collateral for a loan when indicated by a loan status, the collateral comprises a vehicle, a

transmitter capable of transmitting locational data regarding the vehicle is installed within the vehicle, the method comprising the steps of:

(a) receiving a signal in response to a change in the loan status;

(b) establishing a data link from a base terminal to the transmitter upon the receipt of the signal representative of a change in the loan status;

(c) transmitting locational data from the transmitter to the base terminal via the data link; and

(d) determining the location of the vehicle from the locational data transmitted to the base terminal for use in confiscating the vehicle.

17. (New) The method of Claim 16 wherein the change in the loan status includes the loan entering into a default condition.

18. (New) The method of Claim 16 wherein the change in the loan status includes the loan entering into a delinquent condition.

19. (New) The method of Claim 16 wherein a base communication receiver capable of receiving a transmit request signal is installed within the vehicle, step (b) further comprises the steps of:

(1) establishing a data link from a base terminal to the base communication receiver upon the receipt of a signal representative of a default condition in the loan status; and

(2) receiving a transmit request signal from the base terminal with the base communication receiver via the data

link.

20. (New) The method of Claim 19 wherein step (b) further comprises the steps of:

(1) establishing the data link from the base terminal to the base communication receiver at predetermined intervals prior to any receipt of a signal in response to a change in the loan status; and

(2) receiving locational data transmitted from the transmitter to the base terminal via the data link to verify the operation of the base communication receiver.

21. (New) The method of Claim 16 wherein step (b) further comprises the steps of:

(1) establishing the data link from the base terminal to the transmitter at predetermined intervals prior to any receipt of a signal in response to a change in the loan status; and

(2) receiving locational data transmitted from the transmitter to the base terminal via the data link to verify the operation of the transmitter.

22. (New) The method of Claim 21 wherein step (b) further comprises the step of:

(3) storing the locational data.

23. (New) The method of Claim 16 wherein the transmitter is capable of sensing physical tampering therewith and transmitting a tamper signal in response to any sensed tampering, step (b) further comprises the step of:

(1) establishing the data link from the base terminal to the transmitter upon the sensing of any physical tampering with the transmitter.

24. (New) The method of Claim 16 wherein the vehicle has an alarm, a base communication receiver capable of receiving a vehicle alarm signal is installed within the vehicle, step (d) further comprises the step of:

(1) transmitting a vehicle alarm signal from the base terminal to the base communication receiver via the data link for enabling the vehicle alarm.

25. (New) The method of Claim 16 wherein a base communication receiver capable of receiving a vehicle deactivation signal is installed within the vehicle, step (d) further comprises the step of:

(1) transmitting a deactivation signal from the base terminal to the base communication receiver via the data link for deactivating the vehicle.

26. (New) The method of Claim 16 wherein a GPS positioning signal receiver is installed within the vehicle and the transmitted locational data is based upon a received GPS positioning signal.

27. (New) The method of Claim 16 wherein the transmitter is a cellular phone.

28. (New) The method of Claim 16 wherein the base terminal is mobile.

29. (New) The method of Claim 28 wherein step (d) further comprising the step of:

(1) moving the base terminal to determine the location of the vehicle.

30. (New) A method of securing collateral for a loan when indicated by a loan status, the collateral comprises a vehicle, a transmitter capable of transmitting locational data regarding the vehicle is installed within the vehicle, the method comprising the steps of:

(a) receiving a signal in response to a change in the loan status;

(b) establishing a data link from a base terminal to the transmitter upon the receipt of the signal representative of the loan status being in a default condition;

(c) transmitting locational data from the transmitter to the base terminal via the data link; and

(d) determining the location of the vehicle from the locational data transmitted to the base terminal for use in confiscating the vehicle.

REMARKS

The subject patent application is a continuation patent application of U.S. Serial No. 09/103,419, filed on June 24, 1998. A Notice of Allowance in relation to such parent application was mailed on August 30, 1999. This Preliminary Amendment is being provided so as to amend the claims in a manner which better defines the novel and unobvious aspects of method of the present invention.

Should the Examiner have any suggestions for expediting

allowance of the subject application, the Examiner is invited to contact Applicant's representative at the telephone number listed below.

Date: 10/29/99

Respectfully submitted,

By: Eric L. Tanezaki

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Josephine I. Weissberger

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-1-

Case No.: FORBE-001^C
Pat. Appln.

METHOD FOR RETRIEVING VEHICULAR COLLATERAL

5

Field of the Invention

The present invention relates generally to a method of collateral retrieval, and more particularly to a method of retrieving vehicular collateral in which a transmitter is
10 installed in the vehicle which provides locational data.

Background of the Invention

Generally, vehicles such as automobiles have been financed through a personal loan system, whereby the
15 purchaser borrows money from a financial or lending institution, takes title to the automobile and pays the loan balance in monthly payments which amortize the full amount of the loan. Typically, the financial institution retains a lien interest against the title of the vehicle
20 and the loan is secured by a chattel mortgage thereon. The financial institution may confiscate or repossess the vehicle upon a default condition of the loan, as agreed to by the purchaser or as provided at law. It is contemplated that a default condition may arise where the loan payments
25 are delinquent for a predetermined interval. Thus, the vehicle is used as collateral for the loan used to purchase the vehicle.

Additionally, lease arrangements are entered into whereby the lessee makes monthly rental payment, returning
30 the vehicle to the lessor at the end of a predetermined term specified in the lease. Title typically remains with the lessor. It is sometimes specified in the lease that

the lessee may at the lessee's option purchase the vehicle when the lease expires. In the event that the lessee defaults in making lease payments, the lessor may confiscate or repossess the vehicle.

5 Thus, upon a default condition of the loan or lease (these terms may be used interchangeably herein) the lending institution may seek to confiscate the loan collateral, i.e., the vehicle. Thus, the lending institution will authorize repossession personnel to
10 confiscate the vehicle. Such confiscation processes may potentially require extensive resources and result in a time consumptive, expensive endeavor. Typically, the repossession personnel being the confiscation process with nothing more than the vehicle holder's last known billing
15 address. Not only may such address be no longer valid, the vehicle may not be kept or stored at such location. Moreover, the individual responsible for the loan may even be actively avoiding being located and the vehicle being repossessed.

20

Summary of the Invention

In accordance with the present invention, there is provided a method of securing collateral for a loan when indicated by a loan status wherein the collateral is a
25 vehicle. The method provides for installing a transmitter within the vehicle. The transmitter is capable of transmitting locational data regarding the vehicle. The loan status is monitored for a default condition. A data link is established from a base terminal to the transmitter
30 of the vehicle upon an occurrence of the default condition in the loan status. Locational data is transmitted from the transmitter of the vehicle to the base terminal via the

data link. The location of the vehicle is determined from the locational data transmitted to the base terminal. Finally, the vehicle is confiscated.

Preferably, the data link is established at
5 predetermined intervals and locational data from the transmitter to the base terminal is transmitted via the data link to verify the operation of the transmitter. In addition, the transmitter is capable of sensing any physical tampering therewith and a tamper signal is
10 transmitted in response to any sensed tampering via data link. Advantageously, the transmitter may be powered with a rechargeable battery. Furthermore, the method of the present invention may provide for deactivating the vehicle and enabling a vehicle alarm upon the loan status being in
15 a default condition. In other embodiments of the present invention, the transmitter may be a cellular telephone and locational data may be based upon Global Positioning Satellite (GPS) technology.

As such, based on the foregoing, the present invention
20 mitigates the inefficiencies and limitations associated with prior art methods of retrieving vehicular collateral. Advantageously, the method of the present invention facilitates expedient location and confiscation of vehicular collateral. The transmitter allows a lending
25 institution to virtually instantaneously determine the location of a collateralized vehicle upon the loan status being in a default condition. In addition, the method may utilize current GPS technology to determine with a high degree of precision the location of the vehicle. Further
30 still, the method may provide for an alarm within the vehicle to be enabled so as to further facilitate location and confiscation of the vehicle. In comparison, traditional methods of vehicular collateral retrieval

typically begin with the lending institution via an agent thereof using only the last documented address for the individual responsible for the loan. Not only may such address be no longer valid, the vehicle may not be kept or
5 stored at such location. Moreover, the individual responsible for the loan may even be actively avoiding being located and the vehicle being repossessed. As such, vehicle confiscation process may potentially be long and costly.

10 Additionally, the method of the present invention preferably provides for a verification process of operability of the transmitter. As such, the lending institution is able to test the installed transmitter by having the transmitter periodically send signals. Further,
15 the method provides for the transmitter to alert the lending institution if the transmitter is tampered with. Thus, the lending institution has the benefit being confident that there is a high probability of retrieving the vehicle, should such course of action be necessary, by
20 being able both verify the operability of the transmitter and having a tamper alert system in place.

Accordingly, the present invention represents a significant advance in the art.

25

Brief Description of the Drawings

These, as well as other features of the present invention, will become more apparent upon reference to the drawings wherein:

30 Figure 1 symbolically depicts vehicle retrieval apparatus and system configuration utilized in the preferred embodiment of the present invention; and

Figure 2 a flow diagram of steps of the method of the present invention.

Detailed Description of the Preferred Embodiment

5 Referring now to the drawings wherein the showings are for purposes of illustrating a preferred embodiment of the present invention only, and not for purposes of limiting the same, Figures 1 and 2 illustrate a method of retrieving vehicular collateral in accordance with the present
10 invention.

As a preliminary matter, it is contemplated that a lending institution makes 26 a loan/lease arrangement with a borrower respecting a vehicle 10. The vehicle 10 is used as collateral for the loan. Whether the vehicle 10 is
15 purchased, leased or rented, it is understood that the party seeking to secure, confiscate, repossess or otherwise seize the vehicle may be a bank, savings and loan, mortgage company, credit union, vehicle dealership, vehicle manufacturer, leasing agent, collection agency, or any
20 other lending/financial institution and agents thereof. It is further understood that the holder or possessor of the vehicle may be the individual responsible for payment of the vehicle loan/lease and may be referred to as the purchaser, debtor, borrower or lessee. For purposes of the
25 present invention, the term vehicle 10 is contemplated to include automobiles, trucks, motor cycles, boats, house boats, airplanes, helicopters, house trailers, mobile homes, recreational vehicles, heavy machinery (such as tractors) and other devices used for transportation.

30 In accordance with the present invention, there is provided a method of securing vehicular collateral when indicated by a loan status. The loan status may have a

paid current condition and a default condition. When the loan status is in a default condition, it is contemplated that the lending institution may be entitled to confiscate or repossess the vehicle 10.

5 The method provides for installing 28 a transmitter 14 within the vehicle 10. The transmitter 14 is capable of transmitting locational data regarding the vehicle 10. The loan status is monitored 30 for a default condition 32. Upon an occurrence of the default condition 32 in the loan
10 status, a data link is established 34 from a base terminal 20 to the transmitter 14 of the vehicle 10. Locational data is transmitted 42 from the transmitter 14 of the vehicle 10 to the base terminal 20 via the data link. The location of the vehicle 10 is determined 46 from the
15 locational data transmitted to the base terminal 20. Thus, as early as the loan status having entered into a default condition, the general whereabouts of the collateralized vehicle 10 may be known to the lending institution, e.g., the base terminal 20. Finally, the method provides for the
20 vehicle 10 to be confiscated 48, and thus completing the collateral securing process.

In the preferred embodiment of the method of the present invention, a retrieval apparatus 12 is installed 28 in the vehicle 10. The retrieval apparatus 12 is provided
25 with the transmitter 14, a base communication receiver 16 and a controller 18. It is contemplated that the transmitter 14 and base communication receiver 16 may be the same device, i.e., a transceiver. Furthermore, the transmitter 14 and base communication receiver 16 may take
30 the form of a cellular telephone or other communications device. The transmitter 14 and the base communication receiver 16 are capable of respectively transmitting and receiving signals to and from the base terminal 20. Such

signals are distinct electromagnetic digital signals which may be RF signal, for example. It is contemplated that the retrieval apparatus 12 need not necessarily be provided with a base communication receiver 16. Thus, the retrieval
5 apparatus 12 may be passive in nature and may periodically or constantly transmit locational signals.

The transmitter 14 and base communication receiver 16 are electrically connected to a controller 18. The controller 18 may be any type of digital processing device,
10 or computer, such as a microprocessor. The use of a microprocessor as the controller 18 provides for versatility in programmability and provides for an apparatus which can be made as small in size as possible. By providing for an apparatus which is an small in size as
15 possible, a more concealed installation of the retrieval apparatus 12 in the vehicle 10 can be achieved.

In operation, the base terminal 20 may be in electrical communication with a computer network of the lending institution. The computer network contains data
20 respecting the status of the loan. Upon the loan status being in a default condition 32, the base terminal 20 originates and transmits 36 a transmit request signal. The base communication receiver 16 is configured to receive the transmit request signal from the base terminal 20. Thus,
25 a data link is established 34 between the base terminal 20 and retrieval apparatus 12 disposed within the vehicle 10. The base communication receiver 16 receives 38 the transmit request signal and the controller 18 processes the transmit request signal. In response, the controller 18 initiates
30 the transmitter 14 to transmit 42 locational data of the vehicle 10 to the base terminal 20 via the data link.

It is contemplated that the loan status may further have a delinquent condition, wherein the loan is not paid

current. The default condition is one where the loan has not been paid current for a predetermined interval. Thus, typically prior to the loan status being in a default condition, the loan status will be in a delinquent condition. Such a delinquent condition may be used to trigger the transmission of a transmit request signal from the base terminal 20 to the retrieval apparatus 12 as discussed above. Thus, the method of the present invention may further include monitoring 30 the status of the loan to for a delinquent condition 50 and subsequently establishing 34 a data link from the base terminal 20 to the transmitter 14 upon an occurrence of the delinquent condition. The locational data received 44 by the base terminal 20 in response to the transmit request signal may be stored for future use. For example, in the event that the retrieval apparatus 12 is later damaged or inoperable and the loan status is in a default condition, the stored locational data may provide a valuable lead for the repossession personnel to locate and confiscate the vehicle 10.

Subsequent to the receipt of the transmit request signal by the base communication receiver 16, the vehicle locational data 40 is derived regarding the vehicle 10. Various methods deriving 40 such data may be utilized. It is contemplated that those methods of configuring a system to derive locational data respecting the location of the vehicle 10 utilizing a transmitter and/or receiver are chosen from those well known to one of ordinary skill in the art. In a very simple embodiment, the transmitted signals from the transmitter 14 themselves provide locational data. In this respect, such signals provide directional data which can be used to locate the emanating source, i.e., the transmitter 14 in the vehicle 10. In such an embodiment, the base terminal 20 may additionally

be mobile and directionally receive the transmitted signals. In another embodiment, the base terminal 20 may be in electronic communication with a plurality of mobile base terminals or an array of antennas which are
5 directionally sensitive and thereby facilitating triangulation techniques to locate the vehicle 10.

In the preferred embodiment of the present invention, however, Global Positioning Satellite (GPS) technology is used to derive 40 the locational data. The retrieval
10 apparatus 10 may further be provided with a GPS positioning signal receiver 22. A GPS data link is established from a global positioning satellite (GPS) 24 to the GPS positioning signal receiver 22 upon the receipt of the transmit request signal. A GPS positioning signal is
15 received by the GPS positioning signal receiver 22 via the GPS data link. As one of ordinary skill in the art will appreciate, the locational data is derivable from the GPS positioning signal. Such locational data is then transmitted 42, as described above. It is contemplated
20 that the GPS locational data provides very precise information as to the location of the vehicle 10, and therefore facilitates the efficient determination 46 of the location and the confiscation 48 of the vehicle 10.

In addition, the method of the present invention
25 provides for a system operability verification procedure. A data link is established 34 from the base terminal to the transmitter at predetermined intervals prior to any occurrence of a default condition. The base terminal 20 originates and transmits 36 a transmit request signal which
30 is received 38 by the base communication receiver 16. In response, the transmitter 14 of the vehicle 10 transmits 42 locational data back to the base terminal 20. The receipt of such locational data at the base terminal 20

successfully verifies the operation of the retrieval apparatus 12 including the transmitter 14 and the base communications receiver 16 therein. In addition, the received locational data may be stored for future use
5 should reference to such data be desired. In operation, such a verification procedure could be followed monthly, for example. In the event that locational data is not received by the base terminal 20, and therefore a failed verification occurs, the lending institution may follow-up
10 in contacting the borrower, and correct any problems or defects in the retrieval apparatus 12. Thus, such a verification procedure allows to the lending institution to increase its probability that the retrieval apparatus 12 will function as designed to facilitate the securing of the
15 collateralized vehicle 10.

The method of the present invention is preferably provided with a procedure of alerting the lending institution that the retrieval apparatus 12 has been physically tampered with. In this respect, the retrieval
20 apparatus 12 and/or components thereof (e.g., transmitter 14, base communication receiver 16, GPS positioning signal receiver 22, etc.) are configured to be capable of sensing any physical tampering therewith and transmitting a tamper signal in response to any sensed tampering. Thus, the data
25 link is established 34 from the base terminal 20 to the transmitter 14 upon the sensing 54 of any physical tampering with the retrieval apparatus 12. It is contemplated that the method of determining whether the retrieval apparatus 12 has been tampered with is chosen
30 from those well known to one of ordinary skill in the art and may include electrical and electro-mechanical devices. Advantageously, it is contemplated that such a tampering alert procedure increases the probability that the

retrieval apparatus 12 will function properly when desired because the lending institution may become aware of any such tampering prior to the loan entering into a default condition and the mere existence of the tampering alert
5 procedure may deter acts of intentional damage to the retrieval apparatus.

While the retrieval apparatus 12 may be solely powered via the electrical system of the vehicle 10, the retrieval apparatus 10 is preferably additionally powered with a
10 rechargeable battery. In such a configuration, the rechargeable battery is electrically connected to a generator/alternator of the vehicle 10 and is recharged during operation of the vehicle 10. Thus, the retrieval apparatus 12 may utilize the rechargeable battery as a
15 back-up or alternate power supply. Advantageously, use of a rechargeable battery mitigates against unwanted and possibly intentional deactivation of the retrieval apparatus 12 where the vehicle battery is disconnected or the vehicle 10 is not in use.

20 In addition to the base communication receiver 16 being able to receive transmit request signals, a vehicle alarm signal may also be received. In this regard, the vehicle 10 may be provided with an audio and/or visual devices which are in electrical communication with the
25 controller 18. Such devices may be the vehicle's horn, lights, speakers, etc. The method of the present invention provides for the transmitting of a vehicle alarm signal from the base terminal 20 to the base communication receiver 16 and receiving the vehicle alarm signal with the
30 base communication receiver 16. The vehicle alarm signal is then communicated to the controller 18 which electrically enables the vehicle alarm. Such an alarm enablement step is contemplated to facilitate the

determination of the exact location of the vehicle 10 once vehicle repossession personnel are within personal sensory range of the vehicle alarm system. Thus, while the locational data which is used by vehicle repossession personnel may allow such personnel to be within the generally locality of the vehicle 10, the sounding of the vehicle horn or illumination vehicle headlamps may further facilitate finding the vehicle 10. This is especially the case where the vehicle 10 is hidden or concealed within a garage, for example.

The base communication receiver 16 may be further capable of receiving a deactivation signal from the base terminal 20 and the controller 18 may be in electrical communication with any number of devices which would facilitate deactivation of the vehicle 10, such the vehicle ignition or fuel system. As such, it is contemplated that the base terminal 20 may transmit a deactivation signal to the base communication receiver 16 via the data link. Upon receipt of the deactivation signal with the base communication receiver 16, the controller 18 may process such signal and initiate the deactivation of the vehicle 10. It is contemplated that the method of deactivating the vehicle 10 via the initiation by the controller 18 is chosen from those well known to one of ordinary skill in the art.

Additional modifications and improvements of the present invention may also be apparent to those of ordinary skill in the art. Thus, the particular combination of parts described and illustrated herein is intended to represent only one embodiment of the present invention, and is not intended to serve as limitations of alternative devices within the spirit and scope of the invention.

WHAT IS CLAIMED IS:

1. A method of securing collateral for a loan when indicated by a loan status wherein the collateral comprises a vehicle, the method comprising the steps of:

5 (a) installing a transmitter within the vehicle, the transmitter being capable of transmitting locational data regarding the vehicle;

(b) monitoring the loan status for a default condition;

10 (c) establishing a data link from a base terminal to the transmitter of the vehicle upon an occurrence of the default condition in the loan status;

15 (d) transmitting locational data from the transmitter of the vehicle to the base terminal via the data link;

(e) determining the location of the vehicle from the locational data transmitted to the base terminal; and

20 (f) confiscating the vehicle.

2. The method of Claim 1 wherein step (a) further comprises the step of:

25 (1) installing a base communication receiver within the vehicle, the base communication receiver being capable of receiving a transmit request signal; and

step (c) further comprises the steps of:

30 (1) establishing a data link from a base terminal to the base communication receiver upon an occurrence of the default condition in the loan status; and

(2) receiving a transmit request signal from the base terminal with the base communication receiver via the data link.

3. The method of Claim 2 wherein step (c) further
5 comprising the steps of:

(1) establishing the data link from the base terminal to the base communication receiver at predetermined intervals prior to any occurrence of a default condition; and

10 (2) transmitting locational data from the transmitter to the base terminal via the data link to verify the operation of the base communication receiver.

4. The method of Claim 1 wherein step (c) further
15 comprising the steps of:

(1) establishing the data link from the base terminal to the transmitter at predetermined intervals prior to any occurrence of a default condition; and

20 (2) transmitting locational data from the transmitter to the base terminal via the data link to verify the operation of the transmitter.

5. The method of Claim 4 wherein step (c) further comprising the step of:

25 (3) receiving the locational data at the base terminal and storing the locational data.

6. The method of Claim 1 wherein step (b) further comprising the step of:

(1) monitoring the loan status for a delinquent condition; and

30 step (c) further comprising the step of:

(1) establishing a data link from a base terminal to the transmitter of the vehicle upon an

occurrence of the delinquent condition in the loan status.

7. The method of Claim 1 wherein the transmitter is capable of sensing any physical tampering therewith and
5 transmitting a tamper signal in response to any sensed tampering, step (c) further comprises the step of:

(1) establishing the data link from the base terminal to the transmitter upon the sensing of any physical tampering with the transmitter.

10 8. The method of Claim 1 wherein step (a) further comprising the step of:

(1) powering the transmitter with a rechargeable battery.

9. The method of Claim 1 wherein the vehicle having
15 an alarm, step (a) further comprises the step of:

(1) installing a base communication receiver within the vehicle, the base communication receiver being capable of receiving a vehicle alarm signal; and step (d) further comprises the step of:

20 (1) transmitting a vehicle alarm signal from the base terminal to the base communication receiver via the data link;

(2) receiving the vehicle alarm signal with the base communication receiver; and

25 (3) enabling the vehicle alarm.

10. The method of Claim 1 wherein step (a) further comprises the step of:

(1) installing a base communication receiver within the vehicle, the base communication receiver
30 being capable of receiving a vehicle deactivation signal; and

step (d) further comprises the step of:

(1) transmitting a deactivation signal from the base terminal to the base communication receiver via the data link;

5 (2) receiving the deactivation signal with the base communication receiver; and

(3) deactivating the vehicle.

11. The method of Claim 1 wherein step (a) further comprises the step of:

10 (1) installing a GPS positioning signal receiver;

step (c) further comprises the steps of:

(1) establishing a data link from a global positioning satellite (GPS) to the GPS positioning signal receiver; and

15 (2) receiving a GPS positioning signal; and wherein the transmitted locational data being based upon the received GPS positioning signal.

12. The method of Claim 1 wherein the transmitter is a cellular phone.

13. The method of Claim 1 wherein the base terminal is mobile.

14. The method of Claim 13 wherein step (e) further comprising the step of:

25 (1) moving the base terminal to determine the location of the vehicle.

15. The method of Claim 1 wherein the installing of the transmitter is effectuated during the vehicle manufacturing process.

30

Abstract

In accordance with the present invention, there is provided a method of securing collateral for a loan when indicated by a loan status wherein the collateral is a vehicle. The method provides for installing a transmitter within the vehicle. The transmitter is capable of transmitting locational data regarding the vehicle. The loan status is monitored for a default condition. A data link is established from a base terminal to the transmitter of the vehicle upon an occurrence of the default condition in the loan status. Locational data is transmitted from the transmitter of the vehicle to the base terminal via the data link. The location of the vehicle is determined from the locational data transmitted to the base terminal. Finally, the vehicle is confiscated.

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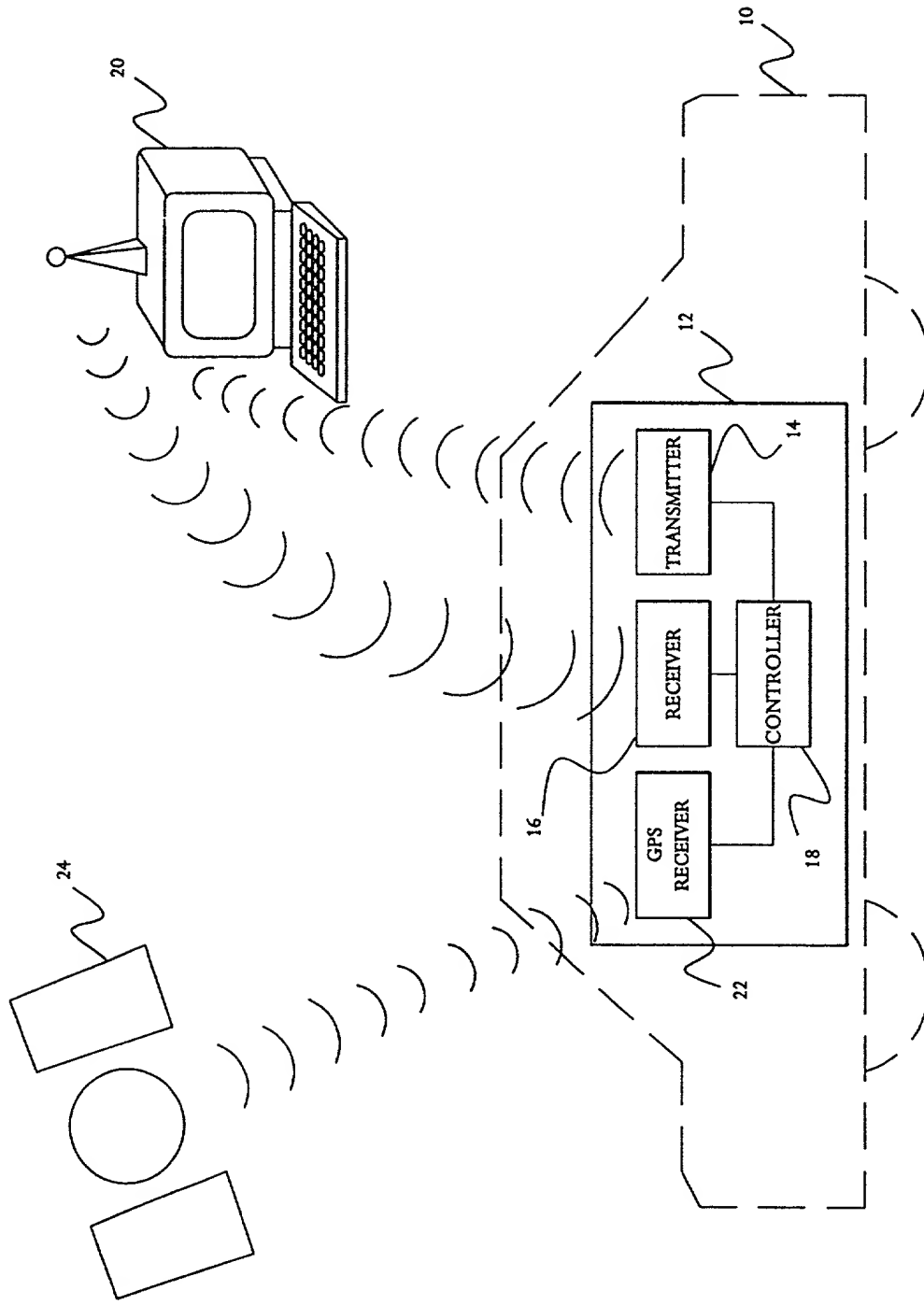


Fig. 1

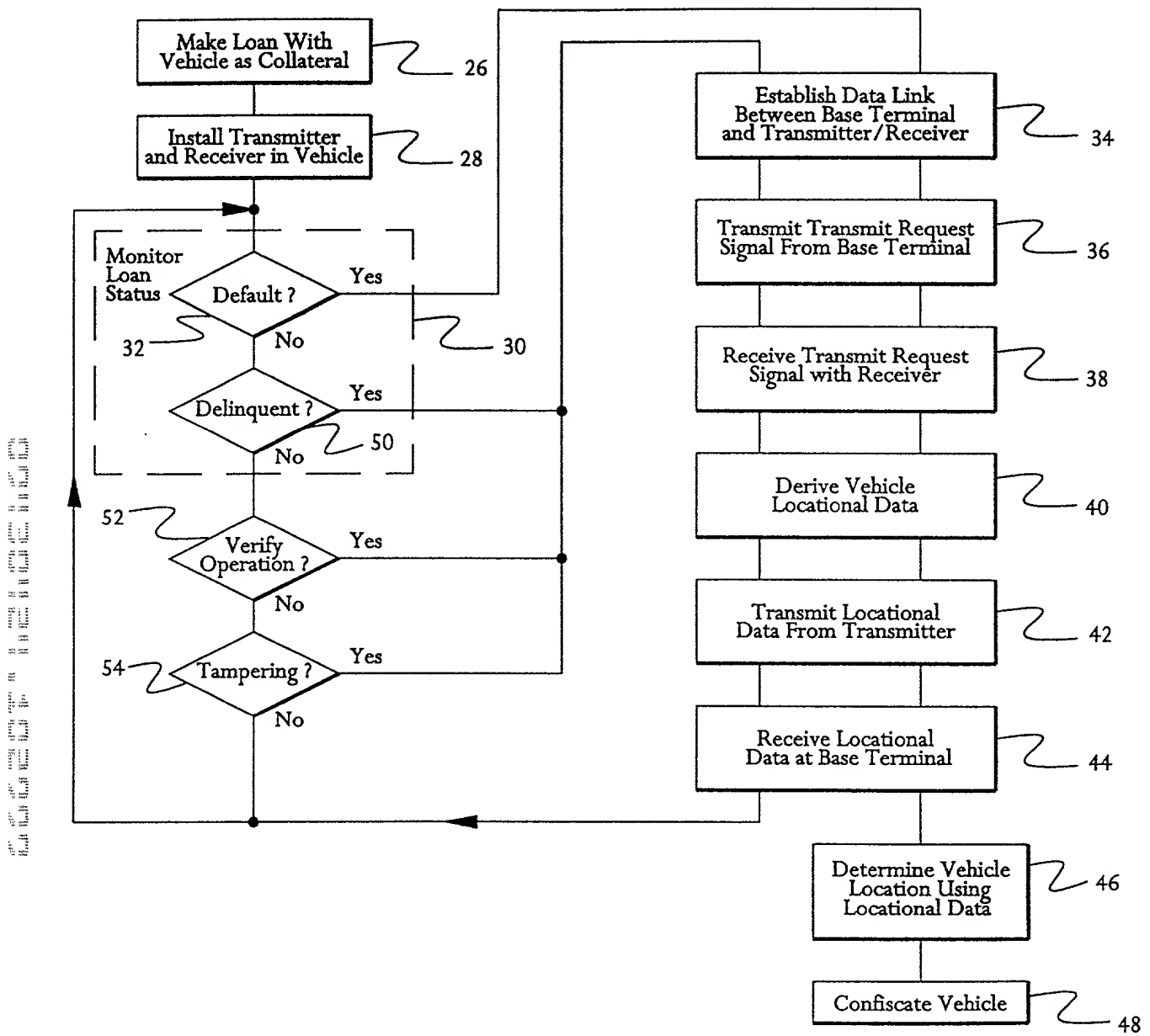


Fig. 2

Practitioner's Docket No. FORBE-001A**PATENT****COMBINED DECLARATION AND POWER OF ATTORNEY**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type:

(check one applicable item below)

- ☒ original.
☐ design.
☐ supplemental.

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application, do not check next item; check appropriate one of last three items.

- ☐ national stage of PCT.

NOTE: If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR C-I-P.

NOTE: See 37 C.F.R. § 1.63(d) (continued prosecution application) for use of a prior nonprovisional application declaration in the continuation or divisional application being filed on behalf of the same or fewer of the inventors named in the prior application.

- ☐ divisional.
☐ continuation.

NOTE: Where an application discloses and claims subject matter not disclosed in the prior application, or a continuation or divisional application names an inventor not named in the prior application, a continuation-in-part application must be filed under 37 C.F.R. § 1.53(b) (application filing requirements — nonprovisional application).

- ☐ continuation-in-part (C-I-P).

INVENTORSHIP IDENTIFICATION

WARNING: If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTIONMETHOD FOR RETRIEVING VEHICULAR COLLATERAL

SPECIFICATION IDENTIFICATION

the specification of which:

(complete (a), (b), or (c))

(a) ☒ is attached hereto.

NOTE: "The following combinations of information supplied in an oath or declaration filed on the application filing date with a specification are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 CFR 1.63:

"(1) name of inventor(s), and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration on filing;

"(2) name of inventor(s), and attorney docket number which was on the specification as filed;
or

"(3) name of inventor(s), and title which was on the specification as filed."

Notice of July 13, 1995 (1177 O.G. 60).

(b) ☐ was filed on _____, as ☐ Serial No. 0 / _____
or ☐ _____
and was amended on _____ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO that contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

NOTE: "The following combinations of information supplied in an oath or declaration filed after the filing date are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 CFR 1.63:

"(1) name of inventor(s), and application number (consisting of the series code and the serial number; e.g., 08/123,456);

"(2) name of inventor(s), serial number and filing date;

"(3) name of inventor(s) and attorney docket number which was on the specification as filed;

"(4) name of inventor(s), title which was on the specification as filed and filing date;

"(5) name of inventor(s), title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or

"(6) name of inventor(s), title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number; e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) executed by signing the oath or declaration."

Notice of July 13, 1995 (1177 O.G. 60), M.P.E.P. § 601.01(a), 6th ed., rev. 3.

(c) ☐ was described and claimed in PCT International Application No. _____, filed on _____ and as amended under PCT Article 19 on _____ (if any).

(Declaration and Power of Attorney [1-1]—page 2 of 7)

SUPPLEMENTAL DECLARATION (37 C.F.R. § 1.67(b))

(complete the following where a supplemental declaration is being submitted)

- ☐ I hereby declare that the subject matter of the
- ☐ attached amendment
- ☐ amendment filed on _____

was part of my/our invention and was invented before the filing date of the original application, above-identified, for such invention.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56,

(also check the following items, if desired)

- ☒ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and
- ☐ in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 CFR 1.98.

PRIORITY CLAIM (35 U.S.C. §§ 119(a)-(d))

NOTE: "The claim to priority need be in no special form and may be made by the attorney or agent if the foreign application is referred to in the oath or declaration as required by § 1.63. The claim for priority and the certified copy of the foreign application specified in 35 U.S.C. 119(b) must be filed in the case of an interference (§ 1.630), when necessary to overcome the date of a reference relied upon by the examiner, when specifically required by the examiner, and in all other situations, before the patent is granted. If the claim for priority or the certified copy of the foreign application is filed after the date the issue fee is paid, it must be accompanied by a petition requesting entry and by the fee set forth in § 1.17(f). If the certified copy is not in the English language, a translation need not be filed except in the case of interference; or when necessary to overcome the date of a reference relied upon by the examiner; or when specifically required by the examiner, in which event an English language translation must be filed together with a statement that the translation of the certified copy is accurate." 37 C.F.R. § 1.55(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §§ 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d) ☒ no such applications have been filed.
- (e) ☐ such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)**

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> YES NO <input type="checkbox"/>
			<input type="checkbox"/> YES NO <input type="checkbox"/>
			<input type="checkbox"/> YES NO <input type="checkbox"/>
			<input type="checkbox"/> YES NO <input type="checkbox"/>
			<input type="checkbox"/> YES NO <input type="checkbox"/>

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(34 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER

FILING DATE

_____/_____
_____/_____
_____/_____

CLAIM FOR BENEFIT OF EARLIER US/PCT APPLICATION(S)
UNDER 35 U.S.C. 120

- ☐ The claim for the benefit of any such applications are set forth in the attached ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN PART (C-I-P) APPLICATION.

(Declaration and Power of Attorney [1-1]—page 4 of 7)

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

NOTE: If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR C-I-P APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. § 120.

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

(list name and registration number)

Kit M. Stetina, Reg. No. 29,445; Bruce B. Brunda, Reg. No. 28,497;
Mark B. Garred, Reg. No. 34,823; William J. Brucker, Reg. No. 35,462;
Norman E. Carte, Reg. No. 30,455; Matthew A. Newboles, Reg. No. 36,224;
Thomas C. Naber, Reg. No. 26,777; Eric L. Tanezaki, Reg. No. 40,196

(check the following item, if applicable)

- ☒ I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.
- ☐ Attached, as part of this declaration and power of attorney, is the authorization of the above-named practitioner(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:
(Name and telephone number)

☒ Address

Atty: ERIC L. TANEZAKI
STETINA BRUNDA GARRED & BRUCKER
24221 Calle de la Louisa, 4th Flr.
Laguna Hills, CA 92653-7602

Atty: ERIC L. TANEZAKI
(949) 855-1246

☒ Customer Number 007663

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

NOTE: Carefully indicate the family (or last) name, as it should appear on the filing receipt and all other documents.

Full name of sole or first inventor

Mark _____ P. _____ Forbes _____
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)

Inventor's signature _____

Date 6-23-98 Country of Citizenship U.S.A.

Residence 27758 Santa Margarita Pkwy., #314, Mission Viejo, CA 92691

Post Office Address 27758 Santa Margarita Pkwy., #314, Mission Viejo, CA 92691

Full name of second joint inventor, if any

(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)

Inventor's signature _____

Date _____ Country of Citizenship _____

Residence _____

Post Office Address _____

Full name of third joint inventor, if any

(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)

Inventor's signature _____

Date _____ Country of Citizenship _____

Residence _____

Post Office Address _____

(Declaration and Power of Attorney [1-1]—page 6 of 7)

(check proper box(es) for any of the following added page(s)
that form a part of this declaration)

- ☐ **Signature** for fourth and subsequent joint inventors. *Number of pages added* _____

* * *

- ☐ **Signature** by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. *Number of pages added* _____

* * *

- ☐ **Signature** for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. *Number of pages added* _____

* * *

- ☐ Added page for **signature** by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 CFR 1.47)

* * *

- ☐ Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application.

☐ Number of pages added _____

* * *

- ☐ Authorization of practitioner(s) to accept and follow instructions from representative.

* * *

(if no further pages form a part of this Declaration,
then end this Declaration with this page and check the following item)

- ☒ This declaration ends with this page.